

Please type a plus sign (+) inside this box → [+]

MAY 1 2002
PATENT & TRADEMARK OFFICE
JC20

172

PTO/SB/08A (10-01)

Approved for use through 10/31/2002 OMB 0651-0031
Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

COMPLETE IF KNOWN

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 2

Application Number	09/827,863
Confirmation Number	6081
Filing Date	April 6, 2001
First Named Inventor	Prosise, et al.
Group Art Unit	1761
Examiner Name	Unknown
Attorney Docket Number	8037M

RECEIVED
MAY 16 2002
TO: [REDACTED]
[REDACTED]

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (If known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	PAGES, COLUMNS, LINES WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
		3,751,569	09/07/1973	Erickson	
		4,112,123	09/05/1978	Roberts	
		4,338,346	07/06/1982	Brand	
		4,399,163	08/16/1983	Brennan, et al.	
		4,423,029	12/27/1983	Rizzi	
		4,411,925	10/25/1983	Brennan, et al.	
		4,668,525	05/26/1987	Creswick	
		4,680,193	07/14/1987	Lunder, et al.	
		4,935,256	06/19/1990	Tsai	
		5,132,113	07/21/1992	Luca	
		5,242,697	09/07/1993	Luca	
		5,643,623	07/01/1997	Schmitz, et al.	
		5,834,044	11/10/1998	Schmitz, et al.	
		5,879,733	03/09/1999	Ekanayake, et al.	
		6,207,203	03/27/2001	Atkinson, et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	CITE NO. ¹	FOREIGN PATENT DOCUMENT COUNTRY CODE ³ NUMBER ⁴ (IF KNOWN)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	PAGES, COLUMNS, LINES WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T ⁵
		WO 99/12030	03/11/1999	Foley, et al.		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	CITE NO. ¹	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS), TITLE OF THE ARTICLE (WHEN APPROPRIATE), TITLE OF THE ITEM (BOOK, MAGAZINE, JOURNAL, SERIAL, SYMPOSIUM, CATALOG, ETC.), DATE, PAGE(S), VOLUME-ISSUE NUMBER(S), PUBLISHER, CITY AND/OR COUNTRY WHERE PUBLISHED	T ⁶
		Pennington, J., Bowes & Church's Food Values of Portions Commonly Used, 17th edition, 1998, Lippincott, Philadelphia.	
		Adam Drewnowski, Trends in Food Science & Technology, April, 1992	
		FDA Labeling Rules as contained in 21 CFR § 101.12	
		Troller, J.A. 1980, Influence of Water Activity on Microorganisms in Foods, Food Technology, 34:76-80	
		Lemon, P. (1998) Effects of exercise on dietary protein requirements, International Journal of Sport Nutrition, 8:426-447.	
		Crouse, J.R. et al., Arch Intern Med, 1999, 159:2070-2076 (Pike, R.L. and Brown, M.L., 1975, Nutrition: An Integrated Approach, 2nd ed., Wiley, New York).	
		Garrison, R. and Somer, E., The Nutrition Desk Reference, 3rd edition, 1995, Keats Publishing, New Canaan, CT.	
		The Surgeon General's Report on Nutrition and Health, 1988, U.S. Department of Health and Human Services Publication No. 88-50210, Washington, DC;	
		National Research Council, 1989, Diet and Health: Implications for Reducing Chronic Disease Risk, The Committee on Diet and Health, National Academy Press, Washington, DC.	
		Glueck, C. J., Jandacek, R. J., Hogg, E., Allen, C., Baehler, L., and Tewksbury, M. (1983) Sucrose polyester: substitution for dietary fats in hypocaloric diets in the treatment of familial hypercholesterolemia, Am. J. Clin. Nutr. 37, 347-354) and plant sterols and plant sterol esters	
		Matson, F.H., Grundy, S.M., and Crouse, J.R. (1982) Optimizing the effect of plant sterols on cholesterol absorption in man, Am. J. Clin. Nutr. 35, 697-700; U.S. Patent 3,751,569, B. A. Erickson	
		Weststrate, J.A., and Meijer, G.W. (1998) Plant sterol-enriched margarines and reduction of plasma total- and LDL-cholesterol concentrations in normocholesterolemic and mildly hypercholesterolemic subjects. Eur. J. Clin. Nutr. 52, 334-343).	

MAY 1 2002

242

	Smith et al., "Overview of Salatrim, a Family of Low-Calorie Fats", J. Agric. Food Chem., 42:432-434, (1994)	<i>RECEIVED MAY 1 2002</i>
	Soffly et al., "Composition of Representative Salatrim Fat Preparations", J. Agric. Food Chem., 42:481-487, (1994).	
	Code of Federal Regulations; 21 CFR § 101.9	
	Brown, L. et al., Am J Clin Nutr, 1999, 69:30-42).	
	Anderson, J.W. and Akanji, A.O., 1993, in CRC Handbook of Dietary Fiber in Human Nutrition, 2nd edition, G.A. Spiller, ed., CRC Press	
	Bruns, Biochem. Pharmacol., 30, 325-333, (1981)	
	Food and Nutrition Board of the National Academy of Sciences (Food and Nutrition Board, 1989, Recommended Dietary Allowances, 10 ed., National Research Council, National Academy of Sciences, Washington, DC	
	Food and Nutrition Board, 1989; Gregory, J.F., 1996, "Vitamins", in Food Chemistry, 3 rd ed., O.R. Fennema, ed.	
	Introduction To Statistics by Ronald E. Walpole, 3rd Edition (1982) New York, New York. pages 24 and 35 of Chapter 2 and page 258 of Chapter 9	
	Raising the Health and Energy Bar, Food Product Design, James C. Burg (Technical Ed.), July 1998	
	Dietray Fiber: A Healthy Discussion, Food Product Design, Ronald C. Deis, Ph.D., January 1999.	
	Functional Foods: Figuring out the Facts, Food Product Design, Andrea Platzman (Contributing Ed.), November 1999.	
	Bar Talk, Food Product Design, Lisa Kobs (Contributing Ed.), September 1999.	

EXAMINER

Telen Pratt

DATE CONSIDERED

1-23-03

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.